

VIRGINIA:

BEFORE THE BOARD OF OPTOMETRY

IN RE: THOMAS SUNG-HWA HONG, O.D.

License No.: 0601-001801

Complaint No.: 98-00080 (55536)

ORDER

Pursuant to §§ 9-6.14:11 and 54.1-2400(10) of the Code of Virginia (1950), as amended, a Special Conference Committee ("Committee") of the Virginia Board of Optometry ("Board"), composed of Charles W. Harrill, O.D., and Thomas R. Cheezum, O.D., met with Thomas Sung-Hwa Hong, O.D., on July 21, 1999, in Henrico County, Virginia. Dr. Hong was present and was represented by James E. Moore, Esquire. The purpose of the informal conference was to receive and act upon evidence concerning the allegations in the Amended Notice of Informal Conference dated May 5, 1999.

FINDINGS OF FACT

After consideration of the evidence and statements concerning the allegations, the Committee makes the following Findings of Fact:

1. Thomas Sung-Hwa Hung, O.D., holds license number 0601-001801 issued by the Virginia Board of Optometry.
2. On or about June 23, 1997, Dr. Hong entered into a lease agreement with MBNR, Inc., Farmington, New Mexico, for the use and occupancy of space for his optometric practice which is located within a commercial or mercantile establishment, namely, Price/Costco, Richmond, Virginia. On or about June 7, 1999, the lease agreement was terminated.

CONCLUSIONS OF LAW

Based upon Finding of Fact #2, the Committee concludes that Thomas Sung-Hwa Hong, O.D., has violated § 54.1-3205(A) of the Code of Virginia (1950), as amended.

T. S. H. Hong, O.D.

ORDER

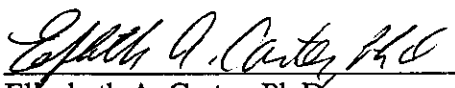
WHEREFORE, on the basis of Finding of Fact #2, and the Conclusions of Law, it is hereby ORDERED that Thomas Sung-Hwa Hong, O.D., CEASE AND DESIST the practice of optometry in violation of § 54.1-3205(A) of the Code of Virginia (1950), as amended.

Dr. Hong shall maintain a course of conduct commensurate with the requirements of Chapter 32, Title 54.1 of the Code of Virginia (1950), as amended, and the Regulations of the Board of Optometry. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of optometry in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Thomas Sung-Hwa Hong, O.D., and an administrative proceeding shall be convened to determine whether Mr. Hong's license to practice optometry in the Commonwealth shall be suspended or revoked.

Pursuant to § 54.1-2400(10) of the Code of Virginia (1950), as amended, this Order shall become final thirty (30) days after service unless a written request for a hearing before the Board is filed with Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry. In the event that this decision is served by mail, three (3) days shall be added to the thirty (30) day period.

Pursuant to § 9-6.14:14 of the Code of Virginia, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

FOR THE BOARD:

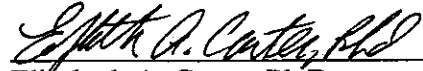

Elizabeth A. Carter, Ph.D.
Executive Director

ENTERED: July 26, 1997

T. S. H. Hong, O.D.

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed to Thomas Sung-Hwa Hong, O.D., at 9650 West Broad Street, Glen Allen, Virginia 23060, and his counsel James E. Moore, Esquire, Christian & Barton, L.L.P., 900 East Main Street, Suite 1200, Richmond, Virginia 23219-3095, on the 31st day of AUGUST, 1999



Elizabeth A. Carter, Ph.D.
Executive Director
Board of Optometry